



PART OF THE MINISTRY OF JUSTICE

# Office of Treaty Settlements

*Te Tari Whakatau Take e pā ana ki te Tiriti o Waitangi*

## **Year-to-Date Progress Report** **1 July 2016 – 31 December 2016**

[www.govt.nz/organisations/office-of-treaty-settlements](http://www.govt.nz/organisations/office-of-treaty-settlements)

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# Overview

This report brings together information on the key outputs of the Office of Treaty Settlements (OTS) for the 6 month period ending 31 December 2016.

OTS negotiates settlements of historical Treaty of Waitangi claims (claims relating to Crown acts and omissions prior to 21 September 1992) on behalf of the Crown. There are numerous claimant groups from around the country currently involved in negotiations with the Crown, or in pre-negotiation discussions. The map and tables on the following pages provide an overview of these.

Along with several other Government departments, OTS has an ongoing role in the implementation of the settlements agreed to date. This includes transferring settlement properties, farms and forest land, putting agreed settlement instruments into effect and monitoring the Crown's compliance with obligations under the Deeds of Settlement.

Until 30 June 2016, OTS also managed surplus Crown properties that were available for settlement redress. This function has now transferred to Land Information New Zealand. Properties that are not used for settlement purposes are sold on the open market once the relevant settlements have been agreed. For more information, please refer to the following website: [www.linz.govt.nz/treaty-settlements-landbank-protection-mechanism](http://www.linz.govt.nz/treaty-settlements-landbank-protection-mechanism)

OTS has the responsibility for the implementation and administration of the Marine and Coastal Area (Takutai Moana) Act 2011 which came into force on 1 April 2011. OTS engages with applicant groups under the Act for recognition agreements and supports the Crown Law Office with representation of the Crown in applications to the High Court for recognition orders under the Act.

Applications for recognition of customary interests under the Act must be made before 3 April 2017.

As well as providing a statutory framework for determining whether customary rights exist in the common marine and coastal area, the Act also provides for the legal arrangements and the general management of the area. This includes roads, minerals, structures, access, navigation and recreation rights, and reclaimed land.

For current information on applications under the Marine and Coastal Area (Takutai Moana) Act 2011, please refer to the following website: [www.justice.govt.nz/maori-land-treaty/marine-and-coastal-area](http://www.justice.govt.nz/maori-land-treaty/marine-and-coastal-area)

## Progress of Settlements

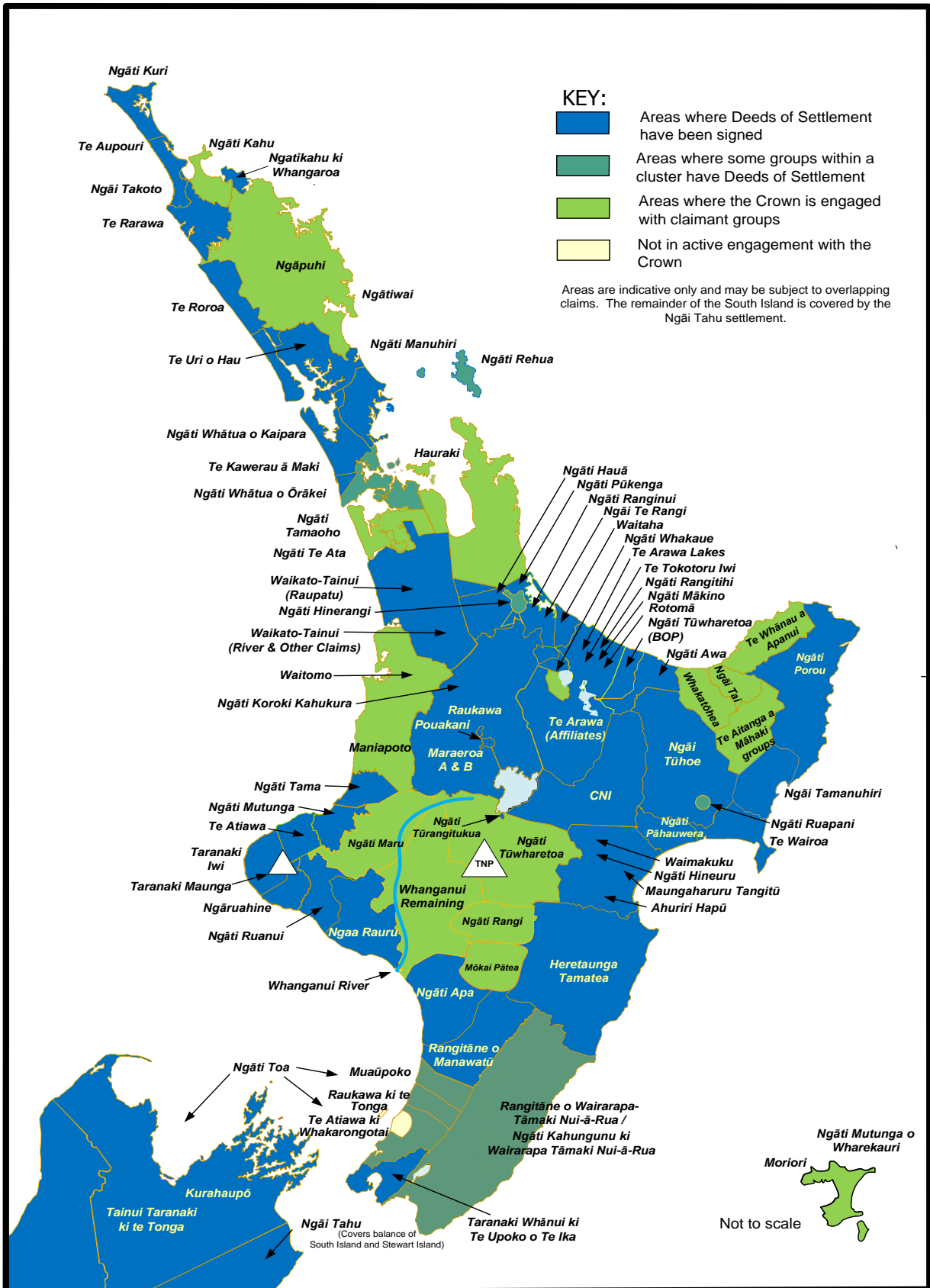
Nineteen significant milestones were reached with claimant groups in the 6 month period ending 31 December 2016:

Group	Milestone	Date
Ngāti Maru (Taranaki)	Terms of negotiation signed	27/07/2016
Rangitāne o Wairarapa Tāmaki Nui-a-Rua	Deed of settlement signed	6/08/2016
Rangitāne o Wairarapa Tāmaki Nui-a-Rua	Legislation introduced	25/08/2016
Ahuriri Hapū	Deed of settlement signed	2/11/2016
Te Wairoa	Deed of settlement signed	26/11/2016
Te Atiawa	Legislation enacted	30/11/2016
Taranaki Iwi	Legislation enacted	30/11/2016
Ngāruahine	Legislation enacted	30/11/2016
Rangitāne o Manawatū	Legislation enacted	7/12/2016
Ngāti Tamaoho	Deed of settlement initialled	9/12/2016
Maniapoto	Mandate recognised	13/12/2016
Whakatōhea	Mandate recognised	13/12/2016
Ngāti Tūwharetoa	Deed of settlement initialled	15/12/2016
Te Ākitai Waiohua	Agreement in principle signed	16/12/2016
Whakatōhea	Terms of negotiation signed	17/12/2016
Maniapoto	Terms of negotiation signed	17/12/2016
Ngāti Rehua-Ngātiwai ki Aotea	Deed of settlement initialled	19/12/2016
Te Wairoa	Legislation introduced	20/12/2016
Hauraki Collective	Deed of settlement initialled	22/12/2016

# Progress Map

The map below provides an overview of the areas where Treaty settlements have been completed and areas currently subject to negotiations or preparing for negotiations.

**FIGURE 1: Completed Treaty Settlements and Current Negotiations**



## Claimant Group Status Summary by Stages in the Negotiation Process

The following table indicates the progress and status of claimant groups in negotiations. It includes settlements that have been implemented. The table is broken down into regional groupings.

GROUP	Mandate recognised by Crown	Terms of Negotiation	Agreement in Principle signed	Deed of Settlement signed	Enacted through legislation	Negotiation status
<b><i>Te Taitokerau</i></b>						
Te Uri o Hau						Legislation for this settlement was passed on 17 October 2002
Te Roroa						Legislation for this settlement was passed on 25 September 2008
Te Rarawa						Legislation for this settlement was passed on 9 September 2015
Te Aupōuri						Legislation for this settlement was passed on 9 September 2015
Ngāi Takoto						Legislation for this settlement was passed on 9 September 2015
Ngāti Kuri						Legislation for this settlement was passed on 9 September 2015
Ngāti Kahu						A collective Agreement in Principle for Te Hiku iwi was signed on 16 January 2010
Ngāpuhi						Terms of Negotiation were signed on 22 May 2015
Ngatikahu ki Whangaroa						Legislation for this settlement was introduced on 10 March 2016
Ngātiwai						A Deed of Mandate was recognised by the Crown on 21 October 2015
<b><i>Tāmaki Makaurau</i></b>						
Ngāti Whātua Ōrākei						Legislation for this settlement was passed on 19 November 2012
Ngāti Whātua o Kaipara						Legislation for this settlement was passed on 6 June 2013
Te Kawerau ā Maki						Legislation for this settlement was passed on 9 September 2015
Te Rūnanga o Ngāti Whātua						Terms of Negotiation were signed on 14 October 2008
Ngāti Manuhiri						Legislation for this settlement was passed on 19 November 2012
Ngāti Rehua-Ngātiwai ki Aotea						A Deed of Settlement was initialled on 19 December 2016
Tāmaki Collective						Legislation for this settlement was passed on 24 July 2014
Ngāti Tamaoho						A Deed of Settlement was initialled on 9 December 2016
Ngāti Koheriki						Terms of Negotiation were signed on 6 June 2013
Ngāti Te Ata						Terms of Negotiation were signed on 29 June 2011
Te Ākitai Waiohua						An Agreement in Principle was signed on 16 December 2016
<b><i>Hauraki</i></b>						
Hauraki Collective						A Deed of Settlement was initialled on 22 December 2016

GROUP	Mandate recognised by Crown	Terms of Negotiation	Agreement in Principle signed	Deed of Settlement signed	Enacted through legislation	Negotiation status
Marutūāhu Collective						<i>A Record of Agreement was signed on 17 May 2013</i>
Ngāi Tai ki Tāmaki						<i>A Deed of Settlement was signed on 7 November 2015</i>
Ngāti Rahiri Tumutumu						<i>An Agreement in Principle was signed on 22 July 2011</i>
Ngāti Hako						<i>An Agreement in Principle was signed on 22 July 2011</i>
Ngāti Hei						<i>An Agreement in Principle was signed on 22 July 2011</i>
Ngāti Paoa						<i>An Agreement in Principle was signed on 22 July 2011</i>
Ngāti Porou ki Harataunga ki Mataora						<i>An Agreement in Principle was signed on 22 July 2011</i>
Ngāti Tara Tokanui						<i>An Agreement in Principle was signed on 22 July 2011</i>
Ngaati Whanaunga						<i>An Agreement in Principle was signed on 22 July 2011</i>
Te Patukirikiri						<i>An Agreement in Principle was signed on 22 July 2011</i>
Ngāti Tamaterā						<i>An Agreement in Principle was signed on 22 July 2011</i>
Ngāti Maru (Hauraki)						<i>An Agreement in Principle was signed on 22 July 2011</i>
<b>Waikato</b>						
Waikato-Tainui (Raupatu Claim)						<i>Legislation for this settlement was passed on 3 November 1995</i>
Waikato-Tainui (River interests)						<i>Legislation for this settlement was passed on 6 May 2010</i>
Raukawa (River interests)						<i>Legislation for this settlement was passed on 21 October 2010</i>
Te Arawa Affiliates (River interests)						<i>Legislation for this settlement was passed on 21 October 2010</i>
Ngāti Tūwharetoa (River interests)						<i>Legislation for this settlement was passed on 21 October 2010</i>
Ngāti Maniapoto (River interests)						<i>Legislation for this settlement was passed on 28 March 2012</i>
Maniapoto						<i>Terms of Negotiation were signed on 17 December 2016</i>
Raukawa (Comprehensive)						<i>Legislation for this settlement was passed on 12 March 2014</i>
Ngāti Koroki Kahukura						<i>Legislation for this settlement was passed on 10 December 2014</i>
Ngāti Hauā						<i>Legislation for this settlement was passed on 10 December 2014</i>
Maraeroa A and B Blocks (Rereahu)						<i>Legislation for this settlement was passed on 31 July 2012</i>
Ngāti Hinerangi						<i>An Agreement in Principle was signed on 12 December 2015</i>
<b>Te Moana a Toi</b>						
Ngāti Tūwharetoa (Bay of Plenty)						<i>Legislation for this settlement was passed on 23 May 2005</i>
Ngāti Awa						<i>Legislation for this settlement was passed on 24 March 2005</i>
Ngāti Ranginui						<i>Legislation for this settlement was introduced on 30 October 2015</i>
Ngāti Pūkenga						<i>Legislation for this settlement was introduced on 29 February 2016</i>
Ngāi Te Rangi						<i>Legislation for this settlement was introduced on 2 May 2016</i>
Tauranga Moana Iwi Collective						<i>Legislation for this settlement was introduced on 30 October 2015</i>

GROUP	Mandate recognised by Crown	Terms of Negotiation	Agreement in Principle signed	Deed of Settlement signed	Enacted through legislation	Negotiation status
Ngāitai (ki Tōreere)						A Deed of Mandate was recognised by the Crown on 4 June 2014
Whakatōhea						Terms of Negotiation were signed on 17 December 2016
<b>CNI</b>						
Central North Island Collective						Legislation for this settlement was passed on 25 September 2008
Ngāti Manawa						Legislation for this settlement was passed on 28 March 2012
Ngāti Whare						Legislation for this settlement was passed on 28 March 2012
Ngāi Tūhoe						Legislation for this settlement was passed on 24 July 2014
Ngāti Tūwharetoa						A Deed of Settlement was initialled on 15 December 2016
<b>Te Arawa</b>						
Te Arawa Lakes						Legislation for this settlement was passed on 25 September 2006
Te Arawa Affiliates						Legislation for this settlement was passed on 25 September 2008
Ngāti Mākino						Legislation for this settlement was passed on 31 July 2012
Waitaha						Legislation for this settlement was passed on 6 June 2013
Pouakani						Legislation for this settlement was passed on 12 December 2000
Ngāti Tūrangitukua						Legislation for this settlement was passed on 14 October 1999
Ngāti Rangiteaorere (Te Tokotoru)						Legislation for this settlement was passed on 9 April 2014
Tapuika (Te Tokotoru)						Legislation for this settlement was passed on 9 April 2014
Ngāti Rangiwewehi (Te Tokotoru)						Legislation for this settlement was passed on 9 April 2014
Ngāti Whakaue						Terms of Negotiation were signed on 3 April 2014
Ngāti Rangitīhi						Terms of Negotiation was signed on 31 October 2015
<b>Te Tairāwhiti</b>						
Tūranganui-a-Kiwa						An Agreement in Principle was signed on 29 August 2008
Rongowhakaata						Legislation for this settlement was passed on 31 July 2012
Ngāi Tamanuhiri						Legislation for this settlement was passed on 31 July 2012
Ngāti Porou						Legislation for this settlement was passed on 29 March 2012
<b>Takitimu</b>						
Ngāti Pāhauwera						Legislation for this settlement was passed on 29 March 2012
Maungaharuru Tangitū Hapū						Legislation for this settlement was passed on 9 April 2014
Ngāti Hineuru						Legislation for this settlement was passed on 29 June 2016
Ahuriri Hapū						A Deed of Settlement was signed on 2 November 2016
Ngāti Kahungunu ki Heretaunga Tamatea						A Deed of Settlement was signed on 26 September 2015



GROUP	Mandate recognised by Crown	Terms of Negotiation	Agreement in Principle signed	Deed of Settlement signed	Enacted through legislation	Negotiation status
Te Tira Whakaemi o Te Wairoa						Legislation for this settlement was introduced on 20 December 2016
Rangitāne o Wairarapa-Tāmaki Nui ā Rua						Legislation for this settlement was introduced on 25 August 2016
Ngāti Kahungunu ki Wairarapa-Tāmaki Nui ā Rua						An Agreement in Principle was signed on 7 May 2016
Hawkes Bay Regional Planning Committee Bill						Legislation was passed on 12 August 2015
<b>Te Tai Hauāuru</b>						
Ngāti Ruanui						Legislation for this settlement was passed on 5 May 2003
Ngāti Tama						Legislation for this settlement was passed on 25 November 2003
Ngaa Rauru Kiitahi						Legislation for this settlement was passed on 27 June 2005
Ngāti Mutunga						Legislation for this settlement was passed on 21 November 2006
Ngāti Apa (North Island)						Legislation for this settlement was passed on 9 December 2010
Te Iwi o Whanganui (River Claim)						Legislation for this settlement was introduced on 2 May 2016
Rangitāne o Manawatū						Legislation for this settlement was passed on 7 December 2016
Te Ātiawa (Taranaki)						Legislation for this settlement was passed on 30 November 2016
Ngāruahine						Legislation for this settlement was passed on 30 November 2016
Taranaki Iwi						Legislation for this settlement was passed on 30 November 2016
Ngāti Rangī						Terms of Negotiation were signed on 27 February 2015
Ngāti Maru						Terms of Negotiation were signed on 27 July 2016
Te Korowai o Wainuiārua						A Deed of Mandate was recognised by the Crown on 15 June 2016
<b>Te Whanganui ā Tara / Te Waipounamu</b>						
Ngāi Tahu						Legislation for this settlement was passed on 1 October 1998
Taranaki Whānui ki Te Upoko o Te Ika						Legislation for this settlement was passed on 30 July 2009
Muaūpoko						Terms of Negotiation were signed on 14 December 2013
Ngāti Kuia						Legislation for this settlement was passed on 17 April 2014
Ngāti Apa ki te Rā Tō						Legislation for this settlement was passed on 17 April 2014
Rangitāne o Wairau						Legislation for this settlement was passed on 17 April 2014
Ngāti Toa Rangātira						Legislation for this settlement was passed on 17 April 2014
Ngāti Kōata						Legislation for this settlement was passed on 17 April 2014
Te Ātiawa o Te Waka-ā-Maui						Legislation for this settlement was passed on 17 April 2014
Ngāti Rārua						Legislation for this settlement was passed on 17 April 2014
Ngāti Tama ki Te Tau Ihu						Legislation for this settlement was passed on 17 April 2014
Ngāti Tama (Wellington)						Terms of Negotiation were signed on 28 March 2014

GROUP	Mandate recognised by Crown	Terms of Negotiation	Agreement in Principle signed	Deed of Settlement signed	Enacted through legislation	Negotiation status
Moriōri						<i>Terms of Negotiation were signed on 14 March 2016</i>
Ngāti Mutunga o Wharekauri						<i>Terms of Negotiation were signed on 16 March 2015</i>

## Claimant Funding

In 1997 the government amended its policy so that claimant funding was paid separately from negotiated settlement redress. For settlements prior to this, claimant funding was deducted from the negotiated settlement redress. The amount of money paid as claimant funding differs for each group depending on the stage they have reached in the negotiation process, the size of the claimant group, and the complexity of the issues negotiated.

\$81.909 million was paid in various types of claimant funding from 1 January 1996 to 31 December 2016. In the six months ending 31 December 2016, \$4.200 million was paid as claimant funding.

**Note:** These figures do not include some payments made to Te Ariki, Te Whanganui a Orotū, Tūhourangi, Waimakuku, Waiwhetu and Ngāti Rangatahi (totalling \$100,103). Additional payments, including ex gratia/one-off payments, have been made from specific appropriations.

## Spending by Appropriation

For the six months ending 31 December 2016, OTS spent \$11.521 million against a departmental budget of \$12.222 million. The following table details what this appropriation is spent on:

APPROPRIATION	COMMENTS
Treaty Negotiations and Marine and Coastal Area (Takutai Moana) Act MCA <b>\$30.873m</b>	<p>This appropriation includes:</p> <ul style="list-style-type: none"> <li>• provision of advice to support decision making by Ministers on government policy matters relating to Treaty Negotiations and the Marine and Coastal Area (Takutai Moana) Act 2011;</li> <li>• costs relating to Crown representation in the Waitangi Tribunal and in the Courts on matters concerning Treaty claims;</li> <li>• costs relating to the negotiation and implementation of historical Treaty claims and the administration and implementation of the Marine and Coastal Area (Takutai Moana) Act 2011.</li> </ul> <p>Actual expenditure in this appropriation to 31 December 2016 was \$11.521m against a budget of \$12.222m.</p>

## Property Portfolio Information

The Office of Treaty Settlements operates a mechanism to protect surplus Crown, District Health Board and Crown Research Institute land for potential use in settling historical Treaty of Waitangi claims. When the land is declared surplus, Māori are invited to express an interest in the Crown purchasing the surplus land. If the Crown agrees that the property meets the protection mechanism criteria, it will be purchased and held in a regional landbank until a Treaty settlement is signed.

Properties held in the Treaty Settlements Landbank are managed and maintained by Land Information New Zealand. Details of the protection mechanism process and a list of properties held in Regional Landbanks is contained on the following website:

[www.linz.govt.nz/treaty-settlements-landbank-protection-mechanism](http://www.linz.govt.nz/treaty-settlements-landbank-protection-mechanism)

In the six month period ending 31 December 2016, 7 properties were purchased for potential use in historical Treaty settlements and 4 properties were disposed of, leaving the total value of the property portfolio (by acquisition value) at \$227.805 million (excl. GST) or \$238.023 million (incl. GST).

The current market value of the property portfolio as reported in the Crown financial statements at 31 December 2016 is \$376.754 million excluding GST (net book value).